



WASHINGTON STATE  
**Board of Health**  
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**DATE:** June 13, 2012

**TO:** Washington State Board of Health Members

**FROM:** Keith Grellner, SBOH Environmental Health Committee Chair

**SUBJECT:** BRIEFING – PROPOSAL TO REVISE CHAPTER 246-291 WAC,  
GROUP B PUBLIC WATER SYSTEMS

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**Background and Summary:**

The State Board of Health has responsibility under RCW 43.20.050(2)(b) to adopt rules to protect public health regarding Group B water systems, at a minimum establishing requirements for the initial design and construction of those systems. The Board's existing rules, chapter 246-291 WAC, were last revised in 1995. These rules apply to public drinking water systems serving fewer than 15 connections and 25 people per day.

In April 2007, the Board's Environmental Health Committee reviewed a proposal from the Department of Health to begin developing updates to chapter 246-291 WAC. The EH Committee concurred with the Department's recommendation to begin the process and the Board filed a CR-101 in July 2007. The Department consulted with the EH Committee extensively over the following years to develop rule revision recommendations, which would emphasize initial design standards and eliminate routine monitoring requirements overseen by the Department.

Governor Gregoire's Executive Order 10-06, issued in November 2010, established a limited moratorium on rulemaking. After consultation with the Department, the Board determined to continue this rulemaking because it meets criteria approved by the Governor's office for exemption from the rules moratorium by being needed to help the Department manage activities under a budget shortfall. The proposed revisions to this rule chapter would change the focus of public health protection from ongoing monitoring requirements to enhanced water system design standards. These changes would eliminate substantial Department workload associated with administering ongoing surveillance activities.

Denise Clifford, Director of the Office of Drinking Water, is here today to summarize the Department's recommendations for revising the Group B water system rules. The recommendations include adding specific authority for local boards of health to adopt more stringent local rules that could include waiver provisions and local requirements for operators to routinely monitor water quality. Please see materials behind Tab 12 of your packets for Ms. Clifford's presentation, rulemaking timeline, and a copy of the existing rule. A public hearing on the rule revision proposal is scheduled to be held at the Board's Oct. 10, 2012 meeting.

**Recommended Board Action:**

None.

**Staff Contact:**

Ned Therien